



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/661,589

09/14/2000

Blake Earl Hayward

P3953

9165

24739

7590

10/28/2005

CENTRAL COAST PATENT AGENCY

PO BOX 187

AROMAS, CA 95004

EXAMINER

BRUCKART, BENJAMIN R

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 09/661,589 | | HAYWARD, BLAKE EARL | |
| | Examiner | | Art Unit | |
| | Benjamin R. Bruckart | | 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claims 29-38 are pending in this Office Action.

Claims 33 and 38 are amended.

Claims 1-28 are cancelled.

There are no new claims.

The 35 U.S.C. 112, second paragraph rejection is withdrawn in light of applicant's amendment.

Response to Arguments

Applicant's arguments filed in the amendment filed 9/29/05 have been fully considered but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claims 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,199,113 by Alegre et al.

Regarding claim 29, a system for authenticating a user of network (Alegre: col. 4, lines 1-7), comprising:

- a network-connected verification server for performing the authentication (Alegre: col. 4, lines 31-42; Fig. 2, tag 226); and

- a network-connected appliance operable by the user for sending a request for authentication (Alegre: col. 4, lines 8-10; Fig. 2, tag 110);

- wherein the request for authentication comprises a network destination for at least one site requiring log-in by the user (Alegre: col. 5, lines 21-27), and a username-password pair for the user (Alegre: col. 4, lines 25-31), and

- the server, in response to the request causes navigation to the at least one site and a login attempt with the username-password pair, successful login comprising authentication (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Regarding claim 30, the system of claim 29, wherein the network is the Internet network (Alegre: col. 4, lines 17-23).

Art Unit: 2155

Regarding claim 31, the system of claim 30, wherein the verification server is a first server (Alegre: col. 4, lines 31; authentication server), and the request is sent from the appliance to a second server (Alegre: col. 4, lines 20-23; user sends request to host), which forwards at least a portion of the request to the first server (Alegre: col. 4, lines 25-31), and the first server returns and indication of verification after causing the navigation and log-in attempt (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Regarding claim 32, the system of claim 29, wherein all or a portion of the request is compared against stored user profile data for verification purposes (Alegre: col. 4, lines 31-37).

Regarding claim 33, the system of claim 30, wherein the request comprises a plurality of site and username-password pairs for the sites, and authentication is a number based on log-in results (Alegre: col. 4, lines 25-42).

Regarding claim 34, a method for authenticating a user of a network (Alegre: col. 4, lines 1-7), comprising the steps of:

- (a) accepting by a server a network destination and a username-password pair as an authentication request from a user (Alegre: col. 4, lines 25-31);
- (b) causing, by the server, navigation to the at least one site and a login attempt with the username-password pair (Alegre: col. 7, lines 8-13); and
- (c) reporting an indication of authenticity according to success or failure of the login attempt (Alegre: col. 6, lines 13-22).

Regarding claim 35, the method of claim 34, wherein the network is the Internet network (Alegre: col. 4, lines 17-23).

Regarding claim 36, the method of claim 34 wherein the server is a first server (Alegre: col. 4, lines 31; authentication server), and the request is sent from the appliance to a second server (Alegre: col. 4, lines 20-23; user sends request to host), which forwards at least a portion of the request to the first server (Alegre: col. 4, lines 25-31), and the first server returns and indication of authenticity after causing the navigation and log-in attempt (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Regarding claim 37, the method of claim 34 wherein all or a portion of the request is compared against stored user profile data for verification purposes (Alegre: col. 4, lines 31-37).

Regarding claim 38, the method of claim 34, wherein the request comprises a plurality of sites and username-password pairs for the sites, and authentication is a number based on log-in results (Alegre: col. 4, lines 25-42).

REMARKS

Applicant only amended the dependent claims to overcome the 112, second paragraph rejection. Applicant is arguing the existing independent claims.

The Applicant Argues:

Applicant argues the claims limitation requires “verification of the user’s identity does not occur prior to navigation to the at least one network site associated with the request” and that Alegre does not teach it.

In response, the examiner respectfully submits:

The Alegre reference does teach the limitation as cited. Applicant does not explicitly state the navigation happens after verification. The claim reads that the server in response to the request, causes navigation for a login attempt.

Alegre: col. 5, lines 20-36 teaches the steps in which a request from a browser with a URL is sent to the server (lines 24-30). The request is received and a login page is navigated to for input of the login information (username and password). The login page is “associated with the request” because authentication must be met before further navigation.

wherein the request for authentication comprises a network destination for at least one site requiring log-in by the user (Alegre: col. 5, lines 21-27), and a username-password pair for the user (Alegre: col. 4, lines 25-31), and the server, in response to the request causes navigation to the at least one site and a login attempt with the username-password pair, successful login comprising authentication (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Applicant argues “the URL is not accessed until authentication has taken place.”

The claim states ‘navigation to the at least one site and a login attempt but the username-password pair.’ The examiner does not read this limitation into the claims. Why would applicant want to authenticate with username and password after navigation to the URL. The login page is page “associated with the request” that requires login and it is navigated to with authentication for the username-password pair.

Applicant does not claim completing navigation to a specified URL before requesting authentication. The breadth of the claim does not overcome the prior art or the situation in which the requested URL is the login page. Applicant is encouraged to further define this ordering of

request, response to request and login with regards to navigation and authentication successful or failure.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

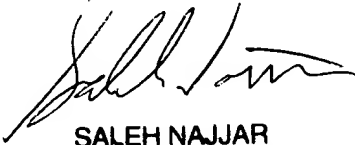
BRB

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

brb



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER